

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

BARBARA KNAPKE, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

PEOPLECONNECT, INC., a Delaware
Corporation,

Defendant.

Case No. 2:21-cv-00262-MJP

JOINT STATUS REPORT

ALYSSA IZZO and JOHN WILSON, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

PEOPLECONNECT, INC., a Delaware
Corporation,

Defendant.

Case No. 2:22-cv-00016-MJP

Pursuant to the Court's June 29, 2022 Order (Dkt. 56), Plaintiffs Barbara Knapke, Alyssa Izzo and John Wilson (collectively, "Plaintiffs") and Defendant PeopleConnect, Inc.

1 (“PeopleConnect”), by and through their attorneys, respectfully submit the following Joint Status
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 3 Report:
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5 1. On June 29, 2022, the Ninth Circuit vacated the Court’s decision denying
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 7 PeopleConnect’s Motion to Compel Plaintiff Knapke to Arbitration (Dkt. 25) and remanded the
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 9 case for arbitration-related discovery. *Knapke v. PeopleConnect, Inc.*, No. 21-35690 (June 29,
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 11 2022), at 5. The Ninth Circuit held that “questions of fact precluded ruling on the motion to compel
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 13 arbitration” including “whether Knapke and [her attorney] had an agency relationship when [her
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 15 attorney] agreed to the Terms of Service; if they did have an agency relationship, whether and how
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 17 Knapke limited [her attorney]’s authority as her agent; and whether Knapke ratified [her
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 19 attorney]’s agreement to arbitrate even if [her attorney] initially lacked authority to bind her to the
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 21 agreement.” *Id.* at 4–5. The Ninth Circuit concluded that under the Federal Arbitration Act,
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 23 “PeopleConnect has a right to conduct discovery on these and related arbitrability issues before
 24
 25 the district court decides the motion to compel arbitration.” *Id.* at 5.
 26

27 2. On June 29, 2022, the Court ordered the parties to meet and confer to discuss
 28
 29 discovery and submit a Joint Status Report by July 13, 2022. (Dkt. 56).
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31 3. On July 6, 2022, counsel for Plaintiffs and PeopleConnect met and conferred via
 32
 33 Zoom.
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35 4. After the meet and confer, counsel for Plaintiff Knapke learned that she had passed
 36
 37 away. Her counsel is in the process of identifying the proper successor in interest pursuant to Rule.
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 39 25. The parties request an additional thirty (30) days for Plaintiff Knapke’s counsel to do so and
 40
 41 report to PeopleConnect and the Court regarding proposed next steps.
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43 5. Plaintiffs Izzo and Wilson and PeopleConnect agree that their portion of this case
 44
 45 should remain stayed pending the Ninth Circuit’s resolution of the appeal in *Boshears v.*

1 *PeopleConnect, Inc.*, No. 22-35262, as Plaintiffs Izzo and Wilson's case involves similar questions
2
3 of law.
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6 Dated this 13th day of July, 2022
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8 Respectfully submitted,
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